

1 **PHARMACEUTICAL AMENDMENTS**

2 2023 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Evan J. Vickers**

5 House Sponsor: Steve Eliason

7 **LONG TITLE**

8 **General Description:**

9 This bill addresses certain prescription drugs.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ prohibits a health insurer from taking certain actions with respect to a
14 clinician-administered drug; and
- 15 ▶ authorizes a physician to issue orders regarding methadone under certain
16 circumstances.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 ENACTS:

23 **31A-22-658**, Utah Code Annotated 1953

24 **58-37-23**, Utah Code Annotated 1953

26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **31A-22-658** is enacted to read:

28 **31A-22-658. Provider administered drugs.**

29 **(1) As used in this section:**

30 (a) "Clinician-administered drug" means an outpatient prescription drug as defined in
31 Section 58-17b-102 that:

32 (i) cannot reasonably be self-administered by the patient to whom the drug is
33 prescribed or by an individual assisting the patient with self-administration;

34 (ii) is typically administered:

35 (A) by a health care provider; and

36 (B) in a physician's office or a health care facility as defined in Section 26-21-2; and

37 (iii) is not a vaccine.

38 (b) "Health insurer" means a person who offers health care insurance, including a
39 health maintenance organization as defined in Section 31A-8-101.

40 (2) A health insurer may not require a pharmacy to dispense a clinician-administered
41 drug directly to an enrollee with the intention that the enrollee will transport the drug to a
42 health care provider for administering.

43 Section 2. Section **58-37-23** is enacted to read:

44 **58-37-23. Methadone orders authorized.**

45 (1) As used in this section:

46 (a) "Emergency medical order" means a medical order as defined in Section
47 58-17b-102 for up to a 72-hour supply of methadone.

48 (b) "General acute hospital" means the same as that term is defined in Section 26-21-2.

49 (c) "Qualified pharmacy" means a pharmacy that is located on the premises of a general
50 acute hospital that is licensed as a:

51 (i) class A pharmacy as defined in Section 58-17b-102; or

52 (ii) class B pharmacy as defined in Section 58-17b-102.

53 (d) "Qualified practitioner" means a practitioner who:

54 (i) is registered with the United States Drug Enforcement Administration to issue an
55 emergency medical order; and

56 (ii) is working at a general acute hospital.

57 (2) A qualified practitioner may issue an emergency medical order to a qualified

58 pharmacy to dispense up to a 72-hour supply of methadone on behalf of the qualified
59 practitioner:

60 (a) to relieve acute withdrawal symptoms while the qualified practitioner makes
61 arrangements to refer the patient for substance use disorder treatment; and

62 (b) in accordance with 21 C.F.R. Sec. 1306.07 and applicable regulation or guidance
63 issued by the United States Drug Enforcement Administration regarding an emergency medical
64 order.